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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF WASHINGTON

9 MARK SHOTGUN,

10 Plaintiff,

11 v.

12 JO ANNE B. BARNHART,
13 Commissioner of Social
14 Security,

15 Defendant.

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) No. 05-CV-5008-MWL
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) ORDER FOR STIPULATED REMAND
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16 The parties have filed a stipulation for remand of the above
17 captioned case to the Commissioner for further administrative
18 proceedings. (Ct. Rec. 19). The parties have consented to proceed
19 before a magistrate judge. (Ct. Rec. 7). After considering the
20 stipulation

21 **IT IS ORDERED** that the above -captioned case be remanded to the
22 Commissioner for further administrative proceedings. Upon remand,
23 the Administrative Law Judge (ALJ) will obtain updated records from
24 treating sources. The ALJ will also obtain a consultative
25 orthopedic evaluation to assess whether Plaintiff has limitations
26 affecting the use of his left hand. The ALJ will obtain a
27 consultative mental examination, and then assess the severity of
28 effects, if any, of Plaintiff's alleged depressive disorder. The

1 ALJ will further assess Plaintiff's maximum residual functional
2 capacity, including any limitation relative to Plaintiff's use of a
3 cane for ambulation, and provide a narrative discussion explaining
4 how the evidence supports each finding. SSR 96-8p. The ALJ will
5 obtain testimony from a vocational expert to clarify the effect of
6 Plaintiff's exertional and non-exertional limitations on Plaintiff's
7 ability to make vocational adjustment to other work.

8 The court reverses the Commissioner's decision under sentence
9 four of 42 U.S.C. 405(g) with a remand of the cause to the
10 Commissioner for further proceedings. *See Melkonyan v. Sullivan*,
11 501 U.S. 89 (1991).

12 **IT IS FURTHER ORDERED:** Judgment shall be entered for the
13 **PLAINTIFF**. An application for attorney fees may be filed by
14 separate motion. The District Court Executive is directed to enter
15 this Order, forward copies to counsel, and thereafter shall close
16 this file.

17 DATED this 23rd day of September 2005.

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19 S/ Michael W. Leavitt
MICHAEL W. LEAVITT
20 UNITED STATES MAGISTRATE JUDGE
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